

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE: AMERICAN MEDICAL
COLLECTION AGENCY, INC.,
CUSTOMER DATA SECURITY
BREACH LITIGATION

*This Document Relates To:
All Actions Against Laboratory Corporation
of America Holdings*

Case No. 2:19-MD-02904-MCA-MAH

MDL 2904

**NOTICE OF LABORATORY
CORPORATION OF AMERICA
HOLDINGS' PARTIAL MOTION
TO DISMISS PURSUANT TO
RULE 12(b)(2)**

Motion Date: April 20, 2020

TO: ALL COUNSEL OF RECORD

PLEASE TAKE NOTICE that on April 20, 2020, or as soon thereafter as counsel may be heard, Defendant Laboratory Corporation of America Holdings (“LabCorp”) shall move before the Honorable Madeline Cox Arleo, United States District Judge, at the Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Room MLK 4A, Newark, New Jersey, for an Order pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure dismissing claims against LabCorp in the Consolidated Class Action Complaint: LabCorp (“CAC”) (ECF 105) filed in the above-captioned action.

The vast majority of Plaintiffs’ claims fail as a jurisdictional matter, as the Court lacks personal jurisdiction over 27 of the 32 Plaintiffs who were named in the CAC for the first time. Specifically, LabCorp seeks dismissal under Rule 12(b)(2) of the

claims in the CAC asserted by Plaintiffs Palmer, Lassiter, Nazemnikov, Buhr, Duckworth, T. Harris, Laufenberg, Petri, Haley, Nelson-Carter, Scott, Rothwell, Jerry, Kaplan, Evans, Spencer, Thomas, Gadero, Lamondie-Murphy, Vazquez, Wrenn, S. Harris, Thrower, Williams-Winters, Judelsohn, Goins, and Cuvillier.

PLEASE TAKE FURTHER NOTICE that, in support of this Motion, LabCorp shall rely on its Memorandum in Support of its Partial Motion to Dismiss Plaintiffs' Consolidated Class Action Complaint, Certification of David J. Cooner, Esq., and the accompanying Declaration of David W. Myers.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is included with this Notice of Motion, pursuant to Local Civil Rule 7.1(e).

PLEASE TAKE FURTHER NOTICE that oral argument is respectfully requested pursuant to Local Civil Rule 78.1.

Dated: January 22, 2020

By: /s/ David J. Cooner

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